

**AFFIDAVIT OF CHRISTIAN M. FIERABEND**  
**IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Christian M. Fierabend, having been duly sworn, do hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation ("FBI") and have been so employed since August, 2006. I am currently assigned to the Boston Division of the FBI, specifically, to the Boston Violent Crimes Task Force, which is comprised of personnel of the FBI, Massachusetts State Police, and the Boston, Malden, Saugus, Dedham, and Somerville Police Departments.

2. As a Special Agent with the Violent Crimes Task Force, I have conducted investigations into a wide array of violent crimes, including assaults. I have attended the FBI Academy at Quantico, Virginia. I have also received specialized training regarding investigative techniques, evidence collection, and evidence preservation.

3. I am aware that Title 18 of the United States Code, section 113(a)(4) makes it a crime for anyone within the special maritime and territorial jurisdiction of the United States to assault by striking, beating, or wounding. I am also aware that Title 18 of the United States Code, Section 113(a)(7) makes it a crime for anyone within the special maritime and territorial

jurisdiction of the United States to commit assault resulting in substantial bodily injury to an intimate or dating partner. Having so said, I make this affidavit in support of an application for a criminal complaint charging Adam Damian Panetta ("Panetta") (DOB XX/XX/1974) of Farmingville, New York, with assaulting NC,<sup>1</sup> in violation of Title 18, United States Code Sections 113(a)(4) and (a)(7). The facts stated herein are based on my own personal involvement in this investigation and my discussions with other law enforcement officers also involved in the investigation. In submitting this affidavit, however, I have not included each and every fact known to me about the investigation, but only those facts which I believe are sufficient to establish the requisite probable cause.

**STATEMENT OF PROBABLE CAUSE**

4. I am currently involved in the investigation of an assault of NC, an adult female who is a lawful permanent resident residing in New York, that was reported to have occurred in the early morning hours of April 25, 2019. The assault occurred aboard the Norwegian Cruise Lines ("NCL") Gem, a Bahamas-flagged cruise ship. On April 19, 2019, the NCL Gem embarked on a multiple day cruise to Bermuda from Boston, Massachusetts, with

---

<sup>1</sup> N.C.'s identity is known to the FBI.

a scheduled return date to Boston for April 26, 2019. I am aware that NCL Gem is a cruise ship which is equipped with a surveillance system that records video footage of various parts of the ship.

5. The assault occurred while the ship was at sea approximately 200 miles off the coast of New Jersey, within the special maritime and territorial jurisdiction of the United States. The assault was reported to ship security on April 25, 2019 and the FBI was notified early on April 26, 2019. The cruise ship arrived into the port of Boston on April 26, 2019.

6. The FBI has obtained and viewed the video surveillance ("video") on the cruise ship from the early morning hours of April 25, 2019. I have viewed the video referenced herein.

7. On April 25, 2019, at approximately 1:49 am, the video captures Panetta walking in a bar on board the NCL cruise ship. NC is observed on video following behind Panetta and is unsteady on her feet. NC is dressed in a white mini dress and high heels. NC stumbles and falls to the ground. NC gets up and walks a few more feet and then stumbles again and falls to the ground. Panetta then comes back and helps her up. The two then leave the bar together.

8. At approximately 2:14 am, NC and Panetta are captured on the video walking down a corridor hand in hand. This corridor is referred to as portside level 10 corridor. The two walk down the corridor and turn onto another corridor, which is also Portside level

10.

9. At 2:16:14 am, Panetta is observed on video forcibly pulling NC by her hair down the corridor. She is upright and hanging onto his arm. Panetta proceeds to drag her down the full length of the hallway.

10. At 2:16:29 am. Panetta and NC arrive outside of cabin #10547. On the video, Panetta appears to be attempting to open the cabin door when NC is observed striking Panetta in the face with an open hand. Panetta then turns toward NC and punches NC twice in the side of her head with a closed fist. Upon being assaulted, NC immediately falls to the ground and lies there without moving at all. She appears to be unconscious. With NC laying on the ground, Panetta proceeds to enter into the cabin room leaving NC laying on the carpet ground outside the cabin.

11. Per the video, approximately 1 minute later, Panetta comes out of the room and is shirtless. He leans down to NC who is unresponsive. Panetta proceeds to lean down and takes both of NC's arms into his and attempts to pull her upright. Panetta is unable to do this as NC appears to be lifeless and unable to stand. Then, NC, who is still laying on the floor, turns over onto her stomach, gets up onto her hands and knees and begins to crawl into the cabin room. As she does this, Panetta does not appear to assist her in any way. She begins to crawl on her hands and knees into the cabin room. As she is approximately halfway into the cabin room, Panetta kicks her twice in the buttocks. Panetta proceeds to follow NC into the cabin room.

12. Per the video, at 2:47 am, Panetta and NC come out of the cabin room. NC is observed on the video to now be dressed in a black cover all and Panetta is wearing a brown shirt and shorts. Panetta is holding NC close and she is holding a white towel over her head with a red stain on it, which appears to be blood. The two walk down the hallway to the elevator. They both proceed into the elevator and NC is leaning onto Panetta's chest and he has both arms around her. The two take the elevator to the fourth floor, then take the elevator to fifth and finally back to the fourth floor. The medical center is on the fourth floor. The couple leave the elevator.

13. The investigation revealed that Panetta and NC went to the ship's medical center early on April 25, 2019, where NC was treated for her injuries.

14. The FBI spoke to the medical personnel, and learned NC was treated by them on April 25, 2019, for swelling on her right side of her head which was approximately 8cm. Additionally, NC had an approximately 2.5cm laceration on her head resulting in five stitches. Medical personnel related Panetta was verbally abusive towards them and would not consent to a breathalyzer or any further exam of NC for any other injuries.

15. In the morning of Friday, April 26, 2019, a probable cause arrest of Panetta by the FBI was made on board the cruise ship which was docked in Boston. Panetta was advised of his *Miranda* rights.

16. Panetta was transported to the FBI in Chelsea. After acknowledging his *Miranda* rights, he confirmed that he and NC have been involved in an intimate and dating relationship for several months. Per Panetta, both he and NC traveled on the cruise together with NC's minor child and Panetta and NC shared a cabin on board the cruise.

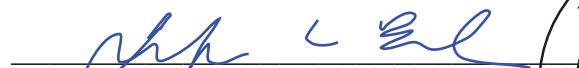
**CONCLUSION**

17. Based on the foregoing, I submit there is probable cause to believe that while in the special maritime or territorial jurisdiction of the United States, Adam Panetta assaulted by striking, beating and wounding NC and further that Panetta assaulted resulting in substantial bodily injury to NC, an intimate partner and dating partner, in violation of Title 18, United States Code Sections 113(a)(4) and (a)(7).



CHRISTIAN M. FIERABEND  
FBI Special Agent

Sworn and subscribed to before me this 26<sup>th</sup> day of April 2019.

  
JENNIFER C. BOAL  
UNITED STATES MAGISTRATE JUDGE